

HOUSE BILL 850

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to public school closures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by  
adding the following language as a new section:

(a) At least one (1) year prior to the proposed closing of a public school operated by an LEA, the local board of education shall give notice by email of the proposed closing to parents and guardians of students in the LEA for which the LEA has an email address. During the year prior to the proposed closing of the school, the notice shall be posted in the lobby and office of the school to be closed, in the lobby and office of any school that will possibly receive students displaced by the proposed school closure, and on the LEA's website.

(b) At least one (1) year prior to the proposed closing of a school, the local board of education shall direct the LEA to examine the proposed closure and prepare an educational, economic, and social impact statement.

(c) Factors to be considered in the impact statement shall include, but not be limited to:

- (1) Current and projected pupil enrollment and personnel needs if the school building proposed to be closed were to remain in service;
- (2) Future need by the LEA for the school building;
- (3) Type, age, and physical condition of the school building;
- (4) Energy and maintenance costs of the school building;

- (5) Cost to renovate or repair the school building, if the building were to continue in service;
- (6) Transportation plans for transportation to other schools for students attending the school proposed to be closed and the costs of that transportation;
- (7) Ability of parents to travel to and from the schools that will receive the students to be displaced by the proposed school closure;
- (8) Effect on the ability of parents to be involved in their children's education at the schools that receive the students displaced by the proposed school closure;
- (9) Possibilities for repurposing the school building by the LEA, community, or nonprofit organizations;
- (10) Potential for disposal of the school building;
- (11) Effect on community property values;
- (12) Ramifications of the proposed closing of the school on the community;
- (13) Demographics of schools that will receive the students to be displaced by the school closure;
- (14) Effect on students who are receiving special education at the school to be closed;
- (15) Effect on students who are enrolled in gifted, Advanced Placement, International Baccalaureate, or other honors programs at the school to be closed;
- (16) Differences in community cultures between the community in which the school that will close is located and those communities receiving students displaced by the closing of the school, including crime rates and whether there are gangs in the school or schools of one (1) or more of the communities;

(17) Relationships between the community in which the school will close and those communities receiving students displaced by the closing of the school; and

(18) Whether there will be a need to build a new school or schools to accommodate the students to be displaced by the closing of the school as well as other students in the LEA.

(d) During preparation of the impact statement under subsection (b), the local board of education shall request input from local governments' economic development agencies in order to consider fully the economic impact of the proposed closure of the school. In considering all effects of the proposed closures on the various school communities, the local board of education may solicit input from the county government and city governments within the county in which the school district is located regardless of whether the LEA is a county school district, city school district, or special school district. The county government and city governments may respond with information and data that they believe to be beneficial in developing the educational, economic, and social impact statement. The local board of education may also solicit input from public institutions of higher education that are located within the county.

(e)

(1) The LEA shall conduct at least three (3) town meetings concerning the proposed closure of the school. The first meeting shall be conducted no later than one (1) month after notice of the proposed closing of the school. The second meeting shall be conducted no later than three (3) months after the first meeting, and the third meeting shall be conducted no later than six (6) months after the first meeting. Meetings shall be conducted at the school proposed to be

closed and at the school or schools which students displaced by the closing will attend.

(2) At the first town meeting, the LEA shall outline the proposed closing and its rationale for closing the school. The public shall be permitted to make statements and ask questions concerning the proposed closure of the school.

(3) At the second town meeting, the LEA shall report on its progress in completing the impact statement under subsection (b) and disseminate any preliminary findings and conclusions that are available. The public shall be permitted to make statements and ask questions concerning the proposed closing of the school and the preliminary findings and conclusions.

(4) At the third town meeting, the LEA shall disseminate the impact statement and present a definitive plan for the transfer of students from the school proposed to be closed to other schools within the LEA. The public shall be permitted to make statements and ask questions concerning the proposed closing of the school, the impact statement, and the schools that students displaced by the closing will attend.

(5) If the local board of education modifies its plan to close the school after the third town meeting, then the LEA shall conduct another town meeting at least one (1) month prior to the start of the school year in which the proposed closing of the school shall occur. The public shall also be permitted to make statements and ask questions at this town meeting.

(f) The LEA shall track the students who transfer to another LEA school after being displaced by the closing of the school. For three (3) years after the school's closure, the LEA shall submit an annual report on the students' assimilation into their new schools and their academic success to the local board of education for public

dissemination by the board. The report shall comply with state requirements concerning confidentiality of student records, including § 10-7-504(a)(4) and title 49, chapter 1, part 7, and the requirements of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.

(g) This section applies to public schools operated by an LEA. This section does not apply to public charter schools.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.